

EXHIBIT 28

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re: GALLERIA 2425 Owner, LLC Debtor.	§ § § § §	Case No. 23-34815 (JPN) Chapter 11
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**SUPPLEMENT TO NATIONAL BANK OF KUWAIT, S.A.K.P, NEW YORK
BRANCH’S EMERGENCY MOTION TO ENFORCE THE GATE-KEEPING
PROVISIONS OF THE CONFIRMED CHAPTER 11 PLAN
Related to ECF Nos. 758, 759 and 760**

TO THE HONORABLE JEFFREY P. NORMAN, U.S. BANKRUPTCY JUDGE:

National Bank of Kuwait, S.A.K.P., New York Branch (“NBK”) files this supplement to its Emergency Motion to Enforce the gate-keeping provisions in the confirmed and unstayed chapter 11 plan [*see* ECF No. 758] (the “Motion”) to advise the Court that one of the lawsuits identified in the Motion was nonsuited earlier today on October 8, 2024, and so relief with respect to that lawsuit no longer appears required as requested in the Motion.

1. NBK filed the Motion on October 2, 2024 seeking two forms of relief in aid of enforcing and implementing the gate-keeping provisions of the confirmed plan of reorganization for the Debtor [*see* ECF No. 566] (the “Plan”): (a) a stay of the four actions identified in paragraph 7 of the Motion; and (b) entry of an order compelling the plaintiffs or proposed plaintiff-intervenor in those actions to comply with the gate-keeping provisions in the confirmed Plan by demonstrating that the claims asserted are colorable, non-estate claims against NBK.

2. One of the identified actions in the Motion is *Naissance Galleria, LLC v. NBK*, Cause No. 2023-41091 pending the District Court of Harris County, Texas, 129th Judicial District (“Naissance II”).

3. Earlier today, the Naissance II plaintiff filed the *Plaintiff's Motion for Nonsuit* attached as Exhibit A, stating that "Naissance Galleria, LLC wishes to nonsuit its claims against Defendant NATIONAL BANK OF KUWAIT, S.A.K.P., New York Branch and respectfully requests [the Harris County District Court] to dismiss same." Based on the *Plaintiff's Motion for Nonsuit*, it appears that no relief is required for Naissance II in respect of the Motion.

4. NBK has filed this supplement to advise the Court and other interested parties of developing facts in advance of the hearing on the Motion scheduled for Thursday, October 10, 2024 at 1:30 p.m. (prevailing Central Time).

DATED: October 8, 2024

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/s/ Andrew M. Troop

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Counsel for National Bank of Kuwait, S.A.K.P., New York Branch

CERTIFICATE OF SERVICE

The undersigned certifies that on October 8, 2024, a true and correct copy of this document was served via the Court's CM/ECF system to all parties who are deemed to have consented to ECF electronic service, via email and/or U.S. first class mail, postage paid to all counsel in the Pending Actions and listed below, and also by mailing, first class, postage prepaid, to each of the parties on the attached service list.

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/s/ Andrew M. Troop
Andrew M. Troop

EXHIBIT A

CAUSE NO. 2023-41091

NAISSANCE GALLERIA, LLC,	§	IN THE HARRIS COUNTY COURT
PLAINTIFF	§	
	§	
VS.	§	129 th JUDICIAL DISTRICT COURT
	§	
NATIONAL BANK OF KUWAIT,	§	
S.A.K.P, New York Branch, et al.	§	
DEFENDANTS.	§	HARRIS COUNTY, TEXAS

PLAINTIFF'S MOTION FOR NONSUIT

Plaintiff NAISSANCE GALLERIA, LLC files this its motion for nonsuit and would respectfully show the Court as follows:

Naissance Galleria, LLC wishes to nonsuit its claims against Defendant NATIONAL BANK OF KUWAIT, S.A.K.P, New York Branch and respectfully requests this Court to dismiss same¹.

Respectfully submitted,

LAW OFFICES OF OMAR KHAWAJA, PLLC

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(281) 888-2421 (fax)

/s/

OMAR KHAWAJA
State Bar No.: 24072181

¹ A plaintiff's nonsuit is effective immediately upon filing. *See Travelers Ins. Co. v. Joachim*, 315 S.W.3d 860, 862-63 (Tex. 2010).

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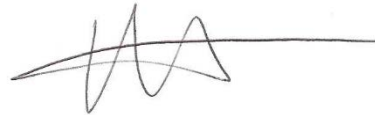


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**ATTORNEYS FOR PLAINTIFF NAISSANCE
GALLERIA, LLC**

CERTIFICATE OF SERVICE

I hereby certify a true and correct copy of the foregoing was served via
electronic means on this the 8th day of October 2024.



David Tang

IN RE GALLERIA 2425 OWNER, LLC, CASE NO. 23-34815
SERVICE LIST (a/o October 7, 2024)

Debtor:

Galleria 2425 Owner, LLC
1001 West Loop South Ste 700
Houston, TX 77027

Debtor's Counsel:

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Baker & Associates
950 Echo Lane Ste 300
Houston, TX 77024

James Q. Pope
The Pope Law Firm
616 Savoy Drive Ste 1125
Houston, TX 77036

U.S. Trustee:

Office of United States Trustee
Attn: Jana Smith Whitworth
515 Rusk Street Suite 3516
Houston, TX 77002

Chapter 11 Trustee:

Christopher R. Murray
602 Sawyer Street Ste 400
Houston, TX 77007

Chapter 11 Trustee's Counsel:

R. J. Shannon
Shannon & Lee LLP
2100 Travis Street Ste 1525
Houston, TX 77002

Governmental Entities:

Harris County Tax Assessor
P O Box 4622
Houston, TX 77210

Harris County, et al.
P O Box 2928
Houston, TX 77252-2928

Twenty Largest Creditors:

Caz Creek Lending
118 Vintage Park Blvd No. W
Houston, TX 77070

Cirro Electric
P O Box 60004
Dallas, TX 75266

City of Houston
P O Box 1560
Houston, TX 77251-1560

City of Houston Water Department
P O Box 1560
Houston, TX 77251-1560

Datawatch Systems
Suite 200
4520 East West Highway
Bethesda, MD 20814

Firetron
10101A Stafford Centre Dr.
Stafford, TX 77477

First Insurance Funding
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Northbrook, IL 60062

Gulfstream Legal Group
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Houston, TX 77024

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Houston Community College System
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Linebarger, Grogan, Blair & Sampson
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Houston, TX 77253-3064

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TKE
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Atlanta, GA 30339

Zindler Cleaning Service Co.
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Fulshear, TX 77441

CFI Mechanical, Inc.
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Houston, TX 77041

CNA Insurance Company
P O Box 74007619
Chicago, IL 60674

Comcast
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City of Industry, CA 91716

Environmental Coalition Inc.
P O Box 1568
Stafford, TX 77497

Ferguson Facilities Supplies
P O Box 200184
San Antonio, TX 78220

Jetall Companies Inc.
2425 West Loop South Ste 1100
Houston, TX 77027-4210

Kings 111 Emergency Communications
751 Canyon Drive Suite 100
Coppell, TX 75019

Logix Fiber Networks
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Dallas, TX 75373

Mueller Water Treatment
1500 Sherwood Forest Dr
Houston, TX 77043

Smart Office Solutions
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Houston, TX 77066-1213
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Waste Management
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Houston, TX 77043-4901

US Retailers LLC d/b/a Cirro Energy
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Houston, TX 77253-3606

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Houston, TX 77024

H.N.B. Construction, LLC
c/o Malcolm D. Dishongh
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Humble, TX 77347-2347

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Houston, TX 77027-4214
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Austin, TX 78729-442
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2425 WL, LLC
700 Lavaca Street Ste 1401
Austin, TX 78701
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Bankable Equities
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Houston, TX 77027-4203

Boho Lounge
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Houston, TX 77027-4205
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Chicago, IL 60674

Eyebrows 4UTX LLC
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Houston, TX 77027-4205

First Insurance Funding
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G3 Global Services LLC
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Houston, TX 77027-4208

Galloworks
2425 West Loop South Ste 400
Houston, TX 77027-4205

Jetall Companies Inc.
2425 West Loop South Ste 1100
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Nationwide Investigations & Security Inc.
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Houston, TX 77027-4207
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Shah Sloan LLC
2425 West Loop South Ste 501, 503 and 523
Houston, TX 77027-4205
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SIBS International Inc.
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SIBS International Inc.
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Houston, TX 77027-4211
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